

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
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UNITED STATES OF AMERICA,

-v-

ALBERTO BAEZ-ACEVEDO,

Defendant.

1:20-cr-582-GHW-1

ORDER

GREGORY H. WOODS, United States District Judge:

On September 12, 2022, the defendant was sentenced principally to a term of imprisonment of 60 months.

On March 5, 2025, the defendant filed a motion (the “Motion”) requesting that this Court consider a sentence reduction pursuant to Amendment 821 to the Sentencing Guideline amendment which went into effect on November 1, 2023 and applies retroactively. Dkt. No. 59. The United States Probation Department has issued a report indicating that the defendant is not eligible for a sentence reduction.

The Court has considered the record in this case and the Motion pursuant to 18 U.S.C. § 3582(c)(2).

It is hereby ORDERED that the defendant is ineligible for a reduction in his sentence because the defendant was sentenced to the mandatory minimum term of imprisonment required for his crime of conviction. The Court is not able to impose a lesser sentence below the statutorily required minimum sentence. As a result, the Motion is denied.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. See *Coppedge v. United States*, 369 U.S. 438, 444–45 (1962).

The Clerk of Court is directed to mail a copy of this order, together with the Court's order filed at Dkt. No 63, to Mr. Baez-Acevedo by first class mail.

SO ORDERED.

Dated: March 18, 2025  
New York, New York



GREGORY H. WOODS  
United States District Judge